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Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**

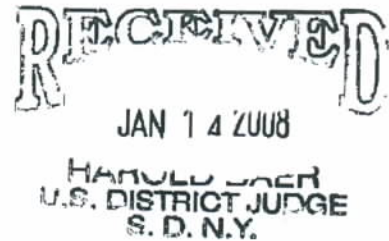
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January 11, 2007

**VIA HAND DELIVERY**

The Honorable Harold Baer  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Re: Mangianello v. The City of New York et al.  
07 Civ. 3644 (HB)(GWG)

Dear Judge Baer:

I am the Senior Counsel with the Office of the Corporation Counsel assigned to the defense in the above-referenced matter and I submit this letter jointly with plaintiff's counsel to request a thirty-day extension of time in which to complete discovery. Pursuant to the Pretrial Scheduling Order entered on July 20, 2007, fact discovery is scheduled to close on February 11, 2008. The parties request until March 14, 2008 in which to complete fact discovery.

The parties request this extension due to the trial schedules of all counsel. I am commencing a trial before the Honorable Alvin K. Hellerstein in the matter of James v. City of New York, 05 Civ. 5252 on January 28, 2008. Plaintiff's counsel has informed me that he is scheduled to begin trials on January 23, 2008, February 5, 2008, and February 25, 2008. Due to the large amount of time that will be spent preparing for and proceeding with these trials, both plaintiff's and defendants' counsel will not have adequate time to prepare for and proceed with the depositions that need to be completed in this matter. The parties have completed the depositions of plaintiff and three defendants, and have scheduled depositions of 4 other defendants.

Additionally, any dispositive motion is due on April 11, 2008. Defendants anticipate moving for summary judgment but do not believe, at this time, that a discovery extension will require a change in April 11, 2008 due date, so long as defendants receive copies of all deposition transcripts in a timely manner. Therefore, the parties respectfully request until March 11, 2008 in which to complete fact discovery.

Thank you for your consideration in this matter.

Respectfully submitted,

Hillary A. Frommer (HF 92)  
Senior Counsel

cc: Michael Joseph (via facsimile)

Respectfully submitted,  
Hillary A. Frommer (HF 92)  
Senior Counsel

I am fine with the extension of discovery to 3/14 so long as you realize that the balance of the PT50 remains in effect. On 4/14 let me remind you that my mind & sometimes look before I counsel is not the use the month he or she chooses to file the use of himself a year or more thereafter and the PT50 extracts a quiet pro quo to the effect that you are awaiting for this ongoing that month you hear in mind when shopping obligations & pick a month you are other cases & pick a month you are notified as Senior Counsel you are directed to your colleagues. I am fine with the extension of discovery to 3/14 so long as you realize that the balance of the PT50 remains in effect. On 4/14 let me remind you that my mind & sometimes look before I counsel is not the use the month he or she chooses to file the use of himself a year or more thereafter and the PT50 extracts a quiet pro quo to the effect that you are awaiting for this ongoing that month you hear in mind when shopping obligations & pick a month you are other cases & pick a month you are notified as Senior Counsel you are directed to your colleagues.

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Harold Baer, Jr., U.S.D.J.

Note: 1/15/09

Endorsement :

I am fine with the extension of discovery to 3/14 so long as you realize that the balance of the PTSO remains in effect. On that score let me remind you that my PTSO entered shortly after issue is joined and sometimes even before lets counsel select the month he or she chooses to try the case usually a year or more thereafter and the PTSO extracts a quid pro quo to the effect that you are available for trial any time that month and obviously when choosing the month you keep in mind other obligations e.g., other trials, discovery, in other cases and pick a month you can handle. As senior counsel you are directed to commute this information - sometimes to your colleagues.